



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention - Hazardous Materials - Recycling Branch
BWP HW 21 Instructions and Supporting Materials

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Introduction

MassDEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the MassDEP Web site at mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word™ format must be downloaded separately. Users with Microsoft Word™ 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF™ format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF™ files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



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Enclosed is a copy of the form to be filled out to obtain a permit for the recycling operation at your facility. Read and fill out all the pages included in the application. This document will become your permit.

Please retain a full copy of the application including the conditions for your records as this will be your only permit copy.

The application form is split into five sections, A through F.

Section A requires you to categorize your recycling operation. See <http://www.mass.gov/dep/recycle/laws/policies.htm> for information about hazardous waste generator status.

Section B requires you to provide general information such as the MassDEP region in which your facility is located (see last page of application for list of cities and towns in each MassDEP region), company name, address and U.S. Environmental Protection Agency (EPA) or Massachusetts Identification Number. If your company does not have an EPA Identification Number, you may obtain one by filing the Massachusetts SQG/LQG Notification of Hazardous Waste Activity form found under "Hazardous Waste Generators" at <http://www.mass.gov/dep/recycle/approvals/hwforms.htm>. If your company needs a MassDEP-assigned number, download a MassDEP Hazardous Waste Generator Registration form from the same Web page, complete the form, and mail it to Hazardous Waste Notifications, MassDEP/BWP, One Winter Street, Boston, MA. 02108. See <http://www.mass.gov/dep/recycle/laws/policies.htm> for information about hazardous waste generator status.

Section C requires you to designate the category of Class A recyclable material you intend to ship off-site to a recycler and other related information. The definitions of By-product; Commercial Chemical Product; Fossil Fuel Utilization Facility; Recyclable Material; Regulated, Recyclable material, Scrap Metal; Space Heater and Sludge found in the Massachusetts Hazardous Waste Regulations at 310 CMR 30.010 can assist you in making this designation.

Section D requires you as a commercial recycler to designate the categories of Class A regulated, recyclable material you intend to receive from those who generate them (see definitions referenced in Section C above).

Section E refers to pollution prevention and Toxics Use Reduction Act (TURA) requirements. Call 617-292- 5982 to determine if TURA requirements apply to your facility.

Section F requires you to certify that the information you have provided on the form is true, accurate and complete, and that you have read and understood all the conditions set forth in the package. The application form should be sent **by certified mail** to the appropriate Regional Office (see the last page of this guidance for mailing addresses) with the original transmittal form. The certified receipt will verify delivery of your permit.

Section G lists the general permit conditions with which you must comply.

Be advised that in accordance with 310 CMR 30.221(2) the permit will be automatically granted in 21 days unless MassDEP contacts you in writing.

The fee for this permit is **\$130**. The fee and one copy of the Transmittal Form should be sent to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211

If you have any questions about applying for a permit, including permit conditions, or need assistance in filing, please contact the Hazardous Waste Recycling Permit Writer in your MassDEP regional office. If you have any questions about the regulations, please call the Hazardous Waste Compliance Assistance Line at 617292-5898.



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Guide to Determining The Level and Class of a Recycling Activity

The recycling regulations (310 CMR 30.200) establish three *classes* of recycling permits: Class A, B and C. From Class A to Class C, the regulatory controls become progressively more stringent. Each class encompasses different types of materials and activities. There are, for example, 10 different types of Class A materials. The Presumptive Approval Recycling Permit, BWP HW 21, covers only Class A recyclable materials that are sent for recycling off the site of generation or that are received for recycling from off the site of generation.

To determine if you can obtain a Presumptive Approval Recycling Permit, refer to the chart below. If you are planning to recycle hazardous waste in a manner not described in these tables, obtain the application kit for BWP HW 22, 23, 24, 25, or call the Hazardous Waste Compliance Assistance Line at 617-292-5898.

Note: Very small quantity generators (VSQGs) who recycle DO NOT have to get a permit. You are a VSQG if you generate less than 27 gallons/month of hazardous waste or regulated recyclable material. To register as a VSQG, you may download a MassDEP Hazardous Waste Generator Registration form, which can be found under "Hazardous Waste Generators" at <http://www.mass.gov/dep/recycle/approvals/hwforms.htm>. Complete the form, and mail it to Hazardous Waste Notifications, MassDEP/BWP, One Winter Street, Boston, MA. 02108. On the form indicate the location and method of recycling.

BWP HW 21: Level I, Class A Presumptive Approval Recycling Permit - \$130 Application Fee			
Recyclable Material	Type of Recycling	Class	Regulation Citation
Any Regulated Recyclable Material that is used or reused as an: Ingredient in a process to make a product, without reclamation; or as a Substitute for a commercial product	Used or reused in manufacturing process which does not include reclamation, burning, over accumulation, or placing on land	A	310 CMR 30.212(1)(a)(b)
Industrial Ethyl Alcohol	Any type of recycling	A	310 CMR 30.212(2)
Scrap Metal that would be hazardous if disposed of	Any type of recycling	A	310 CMR 30.212(3)
A Characteristic Sludge	Being reclaimed off-site	A	310 CMR 30.212(5)
A Characteristic By-Product	Being reclaimed off-site	A	310 CMR 30.212(6)
Unused Commercial Chemical Product	Being reclaimed off-site	A	310 CMR 30.212(7)
Waste Oil	Recycled off-site in a manner other than burning for energy recovery	A	310 CMR 30.212(8)
Specification Used Oil Fuel	Burned for energy recovery in a boiler or furnace off-site	A	310 CMR 30.212(9)



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BWP HW 21 Hazardous Waste Recycling Forms

- **BWP HW 21**
Hazardous Waste - Class A Recycling Presumptive Approval Permit
- **BWP HW RDS 01**
Recycling Data Sheet for Class A Permits Involving Transport of Recyclable Material
- **BWP HW RDS 01-1**
Recycling Data Sheet for Hazardous Waste Generators
- **BWP HW RDS 01-2**
Recycling Data Sheet for Off-Site Recyclers
- **BWP HW RDS 01-3**
Class A, Out of State Certification Statement
- **BWP HW RDS 05**
Recycling Data Sheet for Burning Used Oil Fuel for Energy Recovery Under a Class A Recycling Presumptive Approval Permit.



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1. What is the purpose of this permit?

This permit authorizes and sets conditions for persons wishing to recycle hazardous waste rather than disposing of it or having it treated. At the same time, these permits are designed to protect public health and the environment by ensuring that recycling is conducted in a sound manner.

Legislative authority for these permits is stated in MGL Chapter 21C, section 4. Regulatory authority is found at 310 CMR 30.200.

2. Who must apply?

Generators shipping Class A regulated recyclable materials to another site for recycling and facilities recycling Class A regulated, recyclable materials received from generators.

Class A regulated recyclable materials covered by this application:

- Used or reused as an ingredient in a process to make a product, without reclamation.
- Used or reused as a substitute for a commercial product.
- Industrial ethyl alcohol.
- Hazardous scrap metal.
- Characteristic sludge being reclaimed.
- Characteristic byproduct being reclaimed.
- Unused commercial product being reclaimed.
- Waste oil recycled in some other manner than being burned for energy recovery (if recycled at the site of generation, only a notification is required).
- Specification used oil fuel burned for energy recovery.

The most common categories of Class A recyclable materials sent off-site for recycling (Level I):

- solder dross for recovery of lead
- corrosives reused for pH adjustment
- spent mineral spirits reused as a degreasing agent

The most common categories of Class A recyclable materials received for recycling from off-site (Level III):

- specification used oil fuel burned for energy recovery in commercial/industrial boilers
- oil-contaminated soil for use as an ingredient in the production of asphalt at asphalt batching plants

Please consult the "Guide to Determining the Level and Class of a Recycling Activity" included in this kit to determine the appropriate application category. The permit category BWP HW 21 is now used for all Class A Hazardous Waste recycling activities formerly permitted under BWP HW 01. The permit category BWP HW 22 is now used for all Class B Hazardous Waste recycling activities formerly permitted under BWP HW 01.



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3. What other requirements should be considered when applying for this permit?

a. What prerequisites should be considered before applying for this permit?

The applicant must have either an EPA Identification Number or a MassDEP-assigned number. If your company does not have an EPA Identification Number, you may obtain one by filing the Massachusetts SQG/LQG Notification of Hazardous Waste Activity form found under "Hazardous Waste Generators" at <http://www.mass.gov/dep/recycle/approvals/hwforms.htm>. If your company needs a MassDEP-assigned number, download a MassDEP Hazardous Waste Generator Registration form from the same Web page, complete the form, and mail it to Hazardous Waste Notifications, MassDEP/BWP, One Winter Street, Boston, MA 02108. See <http://www.mass.gov/dep/recycle/laws/policies.htm> for information about hazardous waste generator status.

If you have other hazardous waste questions, call the Compliance Assistance Line at 617-292-5898.

b. What concurrent applications are related to this permit?

Some recycling activities may require additional permits from the Department. For example, air or water permits may be required if recycling involves potential discharges to the environment.

Note: These additional requirements are intended to serve as a guide to the applicant. It does not necessarily include all additional requirements.

4. What is the application fee?

The application fee is \$130.

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

**Department of Environmental Protection
Hazardous Waste
_____ * Regional Office**

Reserve Copy Location:

None.

*Find your region <http://www.mass.gov/dep/about/region/findyour.htm>

6. What are the timelines?

As of November 3, 1995 the timelines are:

	T1	T2
BWP HW 21	21	21

*(A second technical review will only be conducted if necessary).

There is no public comment review period for this permit.

7. What is the annual compliance fee?

There is no annual compliance fee for Class A Level I recycling permits.

8. How long is this permit in effect?

Recycling permits are generally issued for five years. In some cases, however, MassDEP may issue a permit for less than five years. For example, sometimes recycling involves a new technology. MassDEP can determine that more frequent permit review is necessary in these instances.



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9. How can I avoid the most common mistakes made in applying for this permit?

- a. Be sure to sign the application form.
- b. Enter the correct EPA identification number on the application form.
- c. Indicate precisely the type and model of any equipment used in recycling.
- d. Indicate precisely the type of material that will be recycled, including its waste code as listed in 310 CMR 30.120 through 30.136.
- e. If the recycling process requires an air quality control permit, include a copy of the air quality permit with the recycling permit application.
- f. Submit fee and *one copy* of the MassDEP Transmittal Form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

10. What are the regulations that apply to this permit? Where can I get copies?

These regulations include, but are not limited to:

- a. Hazardous Waste Regulations, 310 CMR 30.000.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.

These may be purchased at:

State House Bookstore
Room 116
Boston, MA 02133
617-727-2834

State House West Bookstore
436 Dwight Street, Room 102
Springfield, MA 01103
413-784-1376



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Application Completeness Check List

- ☐ The MassDEP Transmittal Form is properly completed: <http://mass.gov/dep/service/online/trasmfrm.shtml>
- ☐ The proper application forms for the appropriate hazardous waste recycling categories have been completed and signed.
- ☐ The type of material that will be recycled, including its waste code as listed in 310 CMR 30.120 through 30.136, has been precisely indicated.
- ☐ The type and model of any equipment used in recycling has been precisely indicated.
- ☐ If recycling requires an air quality or water pollution permit, a copy of that permit has been submitted with the recycling permit application.

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ Send a copy of the application along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
_____* Regional Office
Hazardous Waste

*Find your region <http://www.mass.gov/dep/about/region/findyour.htm>

- ☐ Send fee of \$130 in the form of a check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the MassDEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



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Presumptive Approval Permit

Transmittal Number # _____

Facility ID (when known) _____

Renewal Application?
☐ Yes ☐ No

Please mail to appropriate MassDEP Regional Office as listed on the last page of this form.

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicability

Check the appropriate box. If neither applies, do not use this form.

- ☐ Facility is a Large Quantity Generator or Small Quantity Generator applying for a permit to ship Class A Regulated Recyclable Materials to an off-site recycler. (Complete All Parts EXCEPT Part D.)
- ☐ Facility is a recycler applying for a permit to recycle only those Class A Regulated Recyclable Materials received from off-site that are listed in Part D, Section 1. (Complete All Parts EXCEPT Part C.) Recycling of other Class A Regulated Recyclable Materials received from off-site requires a written permit from MassDEP.

B. General Information

1. Facility:

Located in DEP region: ☐ Western ☐ Central ☐ Northeast ☐ Southeast

a. Facility Name _____

b. Facility Address _____

c. City/Town _____

d. Zip Code _____

e. EPA Identification Number or MA Identification Number _____

2. Person on-site responsible for supervising recycling activity:

a. First Name _____

b. Last Name _____

c. Area Code and Telephone # _____

d. E-mail Address _____

3. Mailing address (when different from above facility address):

a. Mailing Address _____

b. Mailing Address (cont.) _____

c. City/Town _____

d. Zip Code _____

C. Facility Shipping Off-Site

1. Categories of Class A Materials to be shipped to an off-site recycler (check all that apply)

☐ a. Used or reused as an ingredient in a process to make a product, without being reclaimed

☐ b. Used as substitute for commercial product

☐ c. Industrial ethyl alcohol being reused or reclaimed

☐ d. Scrap metal that would be hazardous if disposed

☐ e. Characteristic sludge being reclaimed

☐ f. Characteristic by-product being reclaimed

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Renewal Application?
☐ Yes ☐ No

C. Facility Shipping Off-Site (cont.)

1. Categories of Class A Materials to be shipped to an off-site recycler (cont. - check all that apply)

- ☐ g. Unused commercial chemical product being reclaimed

☐ h. Waste oil recycled by a means other than burning for energy recovery

☐ i. Specification used oil fuel burned for energy recovery in a fossil fuel utilization facility other than a used oil fired space heater

2. Description of Class A Materials Identified in Part 1.

For all categories checked in Part 1, describe each specific waste, the process that generates it, the EPA/MassDEP waste code(s), and the amount of waste to be shipped off-site for recycling annually.

[illegible]

3. Type of Accumulation

Identify how the Class A Materials will be accumulated before being shipped off-site for recycling.

- ☐
- Underground tanks

a. Number of Tanks

b. Total Capacity

- ☐
- Above ground tanks

c. Number of Tanks

d. Total Capacity

- ☐
- 55 gallon drums

e. Number of Drums

f. Total Capacity

- ☐
- Other containers

g. Number of Containers

h. Total Capacity

C. Facility Shipping Off-Site (cont.)

4. Off-Site Recycling Facility Information

Enter the name of each recycling facility to which you will ship Class A recyclable materials. You must complete a Recycling Data Sheet (form RDS01-1) for every recycler. In addition, every recycler not located in Massachusetts must complete a Certification (form RDS01-3). These forms are included in this package. NOTE: If this application involves multiple wastes and multiple recyclers, indicate which wastes are being shipped to which recyclers.

a. Name of Recycler

b. Name of Recycler

c. Name of Recycler

d. Name of Recycler

D. Recycling Facility Receiving Class A Recyclable Materials

Complete Part D only if you are applying to accept Class A materials from off-site for recycling. Otherwise, leave Part D blank and proceed to Part E.

1. Categories of Class A Materials to be received for recycling (check all that apply)

- ☐ a. Used or reused as an ingredient in a process to make a product, without being reclaimed

☐ b. Used as substitute for commercial product

☐ c. Industrial ethyl alcohol that is reused or reclaimed

☐ d. **Specification used oil fuel burned for energy recovery in a fossil fuel utilization facility other than a used oil fired space heater**

2. Description of Class A Materials Identified in Part 1.

For all categories checked in Part 1, describe each specific waste, the process that generates it, the EPA/MassDEP waste code(s), and the amount of waste to be received annually. Also describe the recycling process. If you checked 1.d. above, also include the manufacturer name, model number and heat input capacity (MM BTU per hour) for the boiler or industrial furnace in which used oil will be burned.



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Renewal Application?
☐ Yes ☐ No

D. Recycling Facility Receiving Class A Recyclable Materials (cont.)

3. Type of Accumulation

Identify how the Class A Materials will be stored prior to recycling.

☐ Underground tanks

a. Number of Tanks

b. Total Capacity

☐ Above ground tanks

c. Number of Tanks

d. Total Capacity

☐ 55 gallon drums

e. Number of Drums

f. Total Capacity

☐ Other containers

g. Number of Containers

h. Total Capacity

4. Generator Information

List all of the hazardous waste generators from whom you are applying to receive Class A materials. Complete a Recycling Data Sheet (RDS01-2) for each generator. A blank RDS01-2 form is included in this package. NOTE: If this application involves multiple wastes and multiple recyclers, indicate which wastes you are receiving from which generators.

a. Name of Generator

b. Name of Generator

c. Name of Generator

d. Name of Generator

E. Pollution Prevention and Toxics Use Reduction

The Massachusetts Toxics Use Reduction Act (TURA, M.G.L. Chapter 21 I), passed in 1989, aims to reduce the use of toxic and hazardous substances in the Commonwealth.

In order to fall under TURA, companies must manufacture or process at least 25,000 pounds or otherwise use 10,000 pounds of the chemicals listed under SARA 313 or CERCLA. Companies must also employ ten or more full time workers and fall within certain SIC Codes.

Facilities subject to the TURA are required to analyze chemical use, submit annual reports, and pay fees based on their use of toxic substance. It may, therefore, benefit a company to reduce their use of toxics so as to avoid reporting requirements and associated fees.

Call (617) 292-5982 to determine if your company must report its chemical use.



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Renewal Application?
☐ Yes ☐ No

F. Certification

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and, that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment. In addition, I understand that any material supplied with this application will not be considered confidential unless I have specifically requested that such material be kept confidential and the Department has made a determination of confidentiality in accordance with 310 CMR 3.00 - Regulations Governing Access for and Confidentiality of Department Records and Files."

Authorized Signature of Owner/Operator

Title

Print Name

Date

G. General Conditions of Class "A" Recycling Permits

- I. The permittee shall have all equipment installed in accordance with all applicable federal, state and local regulations. The equipment site must have proper fire and explosion protection features, must have proper ventilation and provide easy access to all significant parts of the equipment.
- II. The permittee shall install, operate and maintain recycling equipment in accordance with all recommendations provided by the manufacturer.
- III. Permittee shall not alter the recycling device.
- IV. Permittee shall not allow materials to be introduced into the recycling device, other than those which have been specifically enumerated by the manufacturers or that would result in inadequate performance of the device.
- V. All hazardous waste generated from recycling activities shall be subject to all applicable regulations including 310 CMR 30.000.

All residues or byproducts of recycling will be considered hazardous waste unless demonstrated otherwise.

- VI. Failure to comply shall be grounds for enforcement action including without limitation, permit suspension and revocation.
- VII. This permit is not transferable to other persons, locations or activities.
- VIII. The permittee shall satisfy all applicable conditions of 30.200. They include but are not limited to the following.

(1) *Duty to Comply.* The permittee shall comply at all times with the terms and conditions of the permit, 310 CMR 30.000, M.G.L. c. 21C, and all other applicable State and Federal statutes and regulations.

(2) *Duty to Maintain.* The permittee shall always properly operate and maintain all facilities, equipment, control

systems, and vehicles which the permittee installs or uses.

(3) *Duty to Halt or Reduce Activity.* The permittee shall halt or reduce activity whenever necessary to maintain compliance with 310 CMR 30.200 or the permit conditions, or to prevent an actual or potential threat to public health, safety, or welfare, or the environment.

(4) *Duty to Mitigate.* The permittee shall remedy and shall act to prevent all potential and actual adverse impacts to persons and the environment resulting from noncompliance with the terms and conditions of the permit. The permittee shall repair at his own expense all damages caused by such noncompliance

(5) *Duty to Provide Information.* The permittee shall provide the Department, within a reasonable time, any information which the Department may request and which is deemed by the Department to be relevant in determining whether a cause exists to modify, revoke, or suspend a permit, or to determine whether the permittee is complying with the terms and conditions of the permit.

(6) *Entries and Inspections.* The permittee shall allow personnel or other authorized agents of the Department or authorized EPA representatives, upon presentation of credentials or other documents as may be required by law, to:

(a) Enter at all reasonable times any premises, public or private, for the purposes of investigating, sampling or inspecting any records, condition, equipment, practice, or property relating to activities subject to M.G.L. c. 21C, or RCRA, as amended; and

(b) Enter at any time such premises for the purpose of protecting the public health, safety or welfare, or the environment; and

(c) Have access to and copy at all reasonable times all records that are required to be kept pursuant to the conditions of the permit, and all other records relevant to the permittee's hazardous waste activity or to the permittee's activity involving regulated recyclable material.



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Renewal Application?
☐ Yes ☐ No

G. General Conditions of Class “A” Recycling Permits (cont.)

(7) Records.

(a) All records and copies of all applications, reports, and other documents required by 310 CMR 30.200 shall be kept by the permittee for at least three years from the expiration of the permit. This period shall be automatically extended for the duration of any enforcement action. This period may be extended by order of the Department. All record-keeping shall be in compliance with 310 CMR 30.007.

(b) All persons who claim that a material is subject to 310 CMR 30.200 shall retain documentation establishing that there is a known market for the recycled material and that the material is or will be recycled.

(c) A person who sends materials destined for recycling to an off-site facility shall retain records regarding the capability of the off-site facility to conduct recycling, including that the recycling yields a material that is within a specification range acceptable for use as a product and that the materials sent to the facility have in fact been recycled.

(d) A person who accepts materials for recycling from off-site sources shall retain records regarding its capability to conduct recycling, including that the recycling yields a material that is within a specification range acceptable for use as a product and that the materials have in fact been recycled.

(8) Continuing Duty to Inform. The permittee shall have a continuing duty to immediately:

- (a) correct any incorrect facts in an application; and
- (b) report or provide any omitted facts which should have been submitted; and
- (c) in advance, report to the Department each planned change in the permitted facility or activity which might result in noncompliance with 310 CMR 30.200 or with a term or condition of the permit; and
- (d) report to the Department any cessation of the permitted activity.

(9) Preventing and Reporting Releases Into the Environment. **No materials that are to be recycled shall be intentionally** released into the environment or otherwise disposed of within Massachusetts except in full compliance with all applicable provisions of 310 CMR 30.000. All accidental releases of recyclable material shall be immediately reported to the Department and to all other persons to whom such releases must be reported pursuant to State or Federal laws or regulations.

(10) Compliance with the Application and the Terms of the Permit. Except where 310 CMR 30.200 or other conditions of the permit provide otherwise, the materials that are to be recycled shall be recycled in the manner described in the application for the permit and in no other manner, and in compliance with all conditions of the permit. There shall be no change in the procedure of recycling without the prior express written approval of the Department for those permittees whose activities require a written permit. For those permittees whose activities do not require a written permit, a written notification to the Department is required.

(a) The EPA identification number, or state-only identification number, of the permittee; and

(b) The name, address, and EPA identification number, or state-only identification number, of the facility to which recyclable material was sent; and

(c) Identification of all recyclable material recycled by the permittee. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of material recycled; and

(d) Identification of all recyclable material shipped to off-site facilities. Such identification shall include the EPA listed name or description, the EPA hazardous waste number, the DOT hazard class, the amount of recyclable material transported, and the facility to which it was transported; and

(e) The name and EPA identification number of the transporters used.

(11) Transportation of Recyclable Material. Unless otherwise specified, all transportation of recyclable material, and preparation of all recyclable material for transportation, shall be in full compliance with all DOT and other Federal regulations, and all State regulations, governing the transportation of hazardous materials.

(12) Annual Reporting. All permittees shall submit an annual report, on a form prescribed by the Department, covering all recyclable material they handle. Each annual report shall be submitted to the Department no later than March 1 for the preceding calendar year. The report shall include, at a minimum, the following information:

(13) Dust Suppression and Road Treatment. The use of regulated recyclable material for dust suppression or road treatment is prohibited. The provisions set forth in 310 CMR 30.205(9) shall apply to such activity.

(14) Speculative Accumulation. Speculative accumulation is prohibited. The permittee shall make and keep records that will adequately demonstrate that there has occurred no speculative accumulation. Such records shall include, but not be limited to, the following:

- (a) records showing the amount of material being accumulated or stored at the beginning of the calendar year,
- (b) records showing the amount of material received or generated during the calendar year, and
- (c) records showing the amount of materials being accumulated or stored at the end of the calendar year.
- (d) records showing the amount of material that is recycled on-site, and/or that is transferred to a different site for recycling.

(15) Personnel Training. The permittee shall instruct, or give on-the-job training to, personnel involved in any activity authorized by the permit, so that such instruction or on-the-job training teaches such personnel how to comply with the conditions of the permit and to carry out the authorized activity in a manner that is not hazardous to public health, safety, or welfare, or the environment.

(16) Emergency Prevention and Response. The permittee shall plan and prepare for fires, explosions, or other occurrences that might result in release of oil or hazardous materials to the environment or otherwise constitute a



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Transmittal Number #

Facility ID (when known)

Renewal Application?
☐ Yes ☐ No

G. General Conditions of Class “A” Recycling Permits (cont.)

potential hazard to public health, safety, or welfare, or the environment. Without limiting the generality of the foregoing, if the permit authorizes the operation of a recycling facility, the design and operation of the recycling facility shall be in compliance with the requirements set forth in 310 CMR 30.341(1)(e)1.

(17) *Transfer of Permits.* Each permit issued pursuant to 310 CMR 30.200 shall be valid only for the person to whom it is issued and may not be transferred. Operation by an owner or operator other than those named in the permit shall be in violation of 310 CMR 30.000, and a basis for suspension or revocation of the permit, or for other enforcement action.

(18) *Permit Expiration.* Permits issued pursuant to 310 CMR 30.200 are in effect for a period of up to five years from the date of issuance. To continue the specified activity beyond this five year period, the permittee must reapply for a permit during the effective period of the existing permit. If the permittee wishes to engage in an activity different from the one specified in the permit, the permittee must receive a permit for the new activity prior to engaging in that activity.

(19) *Storage and Accumulation in Tanks and Containers.* Regulated recyclable materials shall be stored or accumulated only in tanks or containers. Generators of regulated recyclable materials that are waste oil or used oil fuel shall comply with applicable container and tank requirements in 310 CMR 30.253. Generators of all other regulated recyclable materials shall comply with applicable container and tank requirements in 310 CMR 30.340 (for large quantity generators), 30.351 (small quantity generators), or 310 CMR 30.353 (very small quantity generators), respectively. Each tank or container in which regulated recyclable material is being accumulated or stored and each outside container into which small containers are packed shall be clearly marked and labeled throughout the period of accumulation or storage with the following:

- (a) The words "Regulated Recyclable Material";
- (b) regulated recyclable material(s) identified in words (e.g., acetone, toluene);
- (c) type of hazard(s) associated with the material(s) indicated in words (e.g., ignitable, toxic, dangerous when wet);
- (d) The date upon which each period of accumulation or storage begins, marked on each tank or container at the time accumulation or storage begins in that tank or container, except that tanks containing regulated recyclable materials to be lawfully recycled are exempt from dating requirements if hard-piped and integrally connected to a used oil fired space heater. Marks and labels shall be placed on the sides of each tank or container in such a manner that they are clearly visible for inspection.

Additional General Permit Conditions for Recyclers who Receive Regulated Materials from Off-Site:

- (1) *Security.* The design and operation of the recycling facility shall be in compliance with the requirements set forth in 310 CMR 30.514 or with general security standards of equivalent stringency
- (2) *Inspections.* The permittee shall inspect the facility and remedy malfunctions in compliance with requirements set forth in 310 CMR 30.515(1)(a) and (b).
- (3) *Wastewater Treatment Units.* If a wastewater treatment unit is part of the recycling activity for which the permit is issued, such wastewater treatment unit shall be in compliance with the requirements set forth or referred to in 310 CMR 30.605.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01 (for use with BWP HW 21)

Recycling Data Sheet for Class A Permits Involving Transport of Recyclable Material

Transmittal Number # _____

Facility ID (if known) _____

A. Summary of Recycling Activity

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Does the applicant plan to send Class A recyclable material to another person(s)?
☐ Yes ☐ No (If "Yes", attach RDS 01-1 described below)
2. Does the applicant plan to receive Class A recyclable material from any person(s)?
☐ Yes ☐ No (If "Yes", attach RDS 01-1 described below)
3. Will Class A recyclable material be sent to any person(s) located outside of Massachusetts:
☐ Yes ☐ No (If "Yes", attach RDS 01-3 described below)

B. Recycling Data Sheet Attachments

(Please label all attachments clearly as listed below)

Attachment: Brief Description of Information Required

- RDS 01-1: This form should be filled out by generators. Provide the names, addresses and EPA identification numbers of persons to whom recyclable material will be sent. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to receive the recyclable material. Specify the type of permit. Make additional copies of this form as needed.
- RDS 01-2: This form should be filled out by offsite recyclers. Provide the names, addresses and EPA identification numbers of persons from whom recyclable material(s) are to be received. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to send the recyclable material offsite. Specify the type of permit. Make additional copies of this form as needed.
- RDS 01-3: If any person listed in Attachments RDS 01-1 is located outside of Massachusetts, they must sign the attached RDS 01-3 certification statement.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-1

(for use with BWP HW 21)

Recycling data sheet for generators

Transmittal Number # _____

Facility ID (if known) _____

A. Instructions

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This form should be filled out by generators sending Class A regulated recyclable materials to an offsite recycler. Provide the names, addresses and EPA identification numbers of persons to whom recyclable material will be sent. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to receive the recyclable material. Specify the type of permit. Make an additional copy of this form for each off-site recycler.

B. Off-Site Recycling Facility Information

1. Facility:

Name of Facility

Address

City/Town

State

Zip Code

EPA Identification Number

2. Is the facility located in Massachusetts?

☐ Yes ☐ No

If **yes**, has this facility applied for or been granted a valid recycling permit to receive the recyclable material?

☐ applied for ☐ granted

Type of permit

If **no**, complete form BWP HW RDS01-3



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-2

(for use with BWP HW 21)

Recycling data sheet for offsite recyclers

Transmittal Number # _____

Facility ID (if known) _____

A. Instructions

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



This form should be filled out by offsite recyclers receiving Class A regulated recyclable materials. Provide the names, addresses and EPA identification numbers of persons from whom the recyclable materials are to be received. For any persons located in Massachusetts, specify whether they have applied for, or been granted, a valid recycling permit to send the recyclable material offsite to your facility. Specify the type of permit. Make an additional copy of this form for each person sending you recyclable material.

B. Facility Information

1. Facility:

Name of Facility

Address

City/Town

State

Zip Code

EPA Identification Number

2. If the facility located in Massachusetts?

☐ Yes ☐ No

If **yes**, has this facility applied for or been granted a valid recycling permit to send the recyclable material to your facility?

☐ applied for ☐ granted

Type of permit



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 01-3

(for use with BWP HW 21)

Class A, Out of State Certification Statement

Transmittal Number # _____

Facility ID (if known) _____

Certification

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments; and the information which relates to my involvement as described herein is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment.

Further, I certify that the regulated, recyclable materials described in the Class A permit application are materials that we _____ (Name of the receiving facility) are authorized to process in compliance with applicable state and federal laws and regulations.

Name of Applicant

Print Name

Position/Title

Authorized Signature

Date



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Hazardous Waste

BWP HW RDS 05

(for use with BWP HW 21, BWP HW 23 or BWP HW 25)
Recycling Data Sheet For Burning Used Oil for Energy Recovery
Under a Class A Presumptive Permit or Class B(3) Permit

Transmittal Number #

Facility ID (if known)

A. Summary of Recycling Activity

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Does the applicant plan to burn used oil fuel that is generated at the burning site?

☐ Yes ☐ No

(If "Yes", attach RDS 05-1 through RDS 05-5 described below).

2. Does the applicant plan to burn used oil fuel that is generated off the burning site?

☐ Yes ☐ No

(If "Yes", attach RDS 05-1 through RDS 05-6 described below).

B. Recycling Data Sheet Attachments

(Please label all attachments clearly as listed below)

Attachment: Brief Description of Information Required

- RDS 05-1: Attach a description of the fuel characteristics determined through satisfactory analysis, including the constituents or properties listed in 310 CMR 30.215 and 30.216. Describe the characteristic variations, if appropriate.
- RDS 05-2: Attach a description of the procedure for determining the characteristics stated above. If laboratory analysis is used, provide the name of each laboratory used and certification status. Describe the quality assurance procedures in use at the laboratory.
- RDS 05-3: Attach a copy of the Department's air quality approval to burn the used oil fuel pursuant to 310 CMR 7.00. Describe any conditions in that approval on the specification or type of fuel to be burned and any required air pollution control technology. Also describe how those conditions will be met.
- RDS 05-4: Attach a description of the facilities for fuel storage showing that they meet the storage requirement stated or referred to in:
- (1) 310 CMR 30.690 through 30.698 (for applicants planning to burn off-specification used oil generated off the burning site)
- or
- (2) 310 CMR 30.253 (for all other applicants).
- RDS 05-5: Attach a description, if applicable, of the procedure for mixing the used oil fuel with other fuel, demonstrating that it is not subject to licensing pursuant to 310 CMR 30.800.
- RDS 05-6: If the applicant plans to burn used fuel oil generated by a person(s) other than the applicant, attach the names, addresses and EPA identification numbers of those persons. Note which of these persons are "marketers" and provide reference to their permits.